

# NICORE PLAN OF OPERATIONS ENVIRONMENTAL IMPACT STATEMENT SUMMARY

## INTRODUCTION

A mine claimant has submitted Plan of Operations to the Forest Service (FS) and Bureau of Land Management (BLM). The Plan of Operations include about 0.5 miles of road construction and 7.5 miles of reconstruction; the development of 35 acres of nickel laterite mine pits (4 sites); mining about 3.5 acres per year for 10 years; and use of a 14-mile haul route entirely on public lands. Most of the access route and all of the pits are on Siskiyou National Forest (FS) lands. A five to ten acre ore drying and stockpile site is proposed on Bureau of Land Management (BLM) lands. The Nicore EIS is a cooperative effort between the FS and BLM.

A Draft Environmental Impact Statement (DEIS) analyzing the project was published in January 1998. A comment period was established with about 3,800 people commenting on the project. Most of the commenters expressed disapproval of mining within the Rough and Ready Creek Watershed. Several people also signed petitions opposing the project. In August of 1998, a Notice of Intent to prepare a Supplemental DEIS was published in the Federal Register. The Siskiyou National Forest Supervisor decided to prepare a supplement (SDEIS) because of economic uncertainty related to the project; the closure of the only nickel smelter in the United States; a plant - *Arabis macdonaldiana* - was listed as endangered under the Endangered Species Act; and a perceived need for a greater range of alternatives than were analyzed in the DEIS. The SDEIS was published in November of 1998. About 500 people commented on the SDEIS during a comment period that ran until January 1999.

Many laws, regulations, policies and plans direct the agencies to support and facilitate mineral extraction while protecting surface resources:

- The 1872 General Mining Laws
- The Organic Administration Act of 1897
- The Mining and Minerals Policy Act of 1970
- The FS Surface Use Regulations 36CFR 288 Subpart A
- The BLM Surface Use Regulations 43 CFR 3809
- The Federal Land Policy and Management Act of 1976
- The National Environmental Policy Act
- The Wild and Scenic Rivers Act
- The Clean Water Act
- The Endangered Species Act

Specific guidelines exist for the analysis area. These are contained in the Siskiyou National Forest Plan, Medford BLM District Resource Management Plan and the 1994 Northwest Forest Plan.

The Purpose and Need for Action is driven by these regulations, policies and plans. The purpose is to determine reasonable measures to protect federal surface resources. The need for action is to respond to the miner's Plan of Operations. The decision makers are the Forest Supervisor for the Siskiyou National Forest, and the Medford BLM District Manager.

## **THE ANALYSIS AREA**

The analysis area is 36 square miles located in parts of Township 40 South, Ranges 8 and 9 West. It is wholly within the West Fork Illinois River watershed, mostly within the Rough and Ready Creek watershed (see Vicinity Map shown in Figure 1). About two-thirds of the is within the South Kalmiopsis Inventoried Roadless Area. The area is widely known for its botanical diversity and high numbers of rare plant species. The BLM Rough and Ready Area of Critical Environmental Concern (ACEC) and Forest Service Botanical Area (MA-4) were established to emphasize protection of botanical resources. The Oregon State Parks also manages the Rough and Ready Botanical Wayside within the project area. Currently, development of an interpretive trail within the wayside and ACEC is in progress.

Recreation within the analysis area includes swimming, botanical exploration, hiking and horseback riding. Most use occurs in the lower reaches of Rough and Ready Creek that are accessible to motorized vehicles. Many mining roads were built within the project area. These roads have segments that are currently impassable, even with high clearance vehicles.

The main stem and North Fork of Rough and Ready Creek were found eligible for inclusion into the National Wild and Scenic River system in 1993. The creek provides habitat for many fish species including chinook and coho salmon; steelhead; and cutthroat and rainbow trout. These species are either listed or proposed for listing under the Endangered Species Act, or considered sensitive within FS Region Six (R6). About 7,500 acres within the analysis area are privately owned. Land uses include residential, agricultural and industrial.

## **ISSUES**

Scoping was initiated on this EIS in April 1997 (scoping also occurred in 1993 for the Plan of Operations submitted at that time). Scoping has been accomplished through multiple public meetings, formal hearings, informal discussions, newspaper and periodical articles and several mailings. Some issues were added or broadened in scope to respond to the comments.

These are the issues analyzed in the FEIS:

- **Soil Productivity**
- **Slope Stability and Erosion**
- **Stream Crossings**
- **Stream Flow and Water Temperature**
- **Nickel Concentrations in the Water**
- **Risk of Hazardous Material Spills**
- **Proposed, Endangered, Threatened and Sensitive (PETS) Fish Species**
- **Port-Orford-cedar Root Disease**
- **Noxious Weeds**
- **Botanical Diversity/Sensitive and Endangered Plants**
- **Aquatic Conservation Strategy and Riparian Reserve Standards and Guidelines**
- **Wild and Scenic River Eligibility - Outstandingly Remarkable Values**
- **Costs of Operations**
- **Economic Viability**
- **Effects on Residents**
- **Visual Quality, Recreation and Interpretive Development**
- **Roadless Character**

## **ALTERNATIVES**

This FEIS includes several alternatives to the Proposed Action:

**Alternative 6** would use the existing Rough and Ready Creek road (private road). It would require approximately 3.8 miles of new road construction and 6.1 miles reconstruction. The entire haul route (15.5 miles) would be designed to accommodate street legal haul vehicles. Mitigation described in the Proposed Action and additional mitigation included for all action alternatives would apply to Alternative 6. It would approve the alternative stockpile site.

**Alternative 7** would require approximately 4.2 miles new road construction and 5.5 miles reconstruction. Total haul route is about 15.4 miles. Mitigation described in the Proposed Action and additional mitigation included for all action alternatives would apply to Alternative 7. It would approve the alternative stockpile site.

**Alternative 8** would require approximately 4.2 miles new road construction and 4.9 miles reconstruction. Total haul route is about 13.3 miles. Mitigation described in the Proposed Action and additional mitigation included for all action alternatives would apply to Alternative 8. It would approve the alternative stockpile site.

**Alternative 9** is the *Preferred Alternative*. It would allow the miner to sample and process some ore to resolve the economic and operational uncertainties associated with the project, without incurring the environmental degradation associated with road development and use. Nicore would be given five years to sample and stockpile the ore (the alternative stockpile site would be used, but would be enlarged to 10 acres). Once the miner completed the sampling, he could submit a refined Plan of Operations. That plan would be subject to appropriate environmental analysis.

**Alternative 10** would require approximately 1.4 miles new road construction and 8.8 miles reconstruction. Total haul route is about 14.3 miles. Mitigation described in the Proposed Action

and additional mitigation included for all action alternatives would apply to Alternative 10. It would approve the alternative stockpile site.

**Alternative 11** would require approximately 1.25 miles new road construction and 6.0 miles reconstruction. Total haul route is about 9.6 miles. Mitigation described in the Proposed Action and additional mitigation included for all action alternatives would apply to Alternative 11. It would approve the alternative stockpile site.

**No Action** would not approve any Plan of Operations for the Nicore project.

## ALTERNATIVES COMPARED

The following chart compares components of the Proposed Action and its Alternatives.

	ALTERNATIVES							
	PA	NA	6	7	8	9	10	11
<b>Mine Site A Access</b>	Alberg Route	Existing Alberg Route currently impassable <sup>1</sup>	Ridge Route	same as Alt. 6	same as Alt. 6	Helicopter	no	no
<b>Mine Site B Access</b>	0.25 miles construction up 445 Road	Existing routes are currently impassable in spots	same as PA	same as PA	same as PA	Tracked vehicles only, via Rock Creek Route	Rock Creek Route	same as PA
<b>Mine Site C Access</b>	Existing 438 Road	Existing route currently inaccessible due to impassable fords.	same as PA	same as PA	same as PA	Helicopter	same as PA	same as PA
<b>Mine Site D Access</b>	Existing 442 Road	Existing 442 road currently inaccessible due to impassable fords.	same as PA	same as PA	no	Helicopter	1 mi. new road to cable landing	same as Alt. 10
<b>Bench Road Construction</b>	no	no	no	yes	yes	no	yes	no
<b>Utilizes Rough and Ready Cr. Private Road</b>	no	private route	yes	no	no	no	no	yes

<sup>1</sup>Routes considered “currently impassable” have places that currently cannot be crossed with pickup trucks.

	<b>ALTERNATIVES</b>							
	<b>PA</b>	<b>NA</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>
<b>Utilizes Wimer Road/ Rock Creek Route</b>	no	Rock Creek route currently impassable	no	no	no	limited trips, very minor road work	yes	no
<b>Crossing 1</b>	ford	no	no	seasonal bridge	seasonal bridge	no	seasonal bridge	no
<b>Crossings 2, 3, 4</b>	ford	no	no	no	no	no	no	no
<b>Crossing 5</b>	ford	existing ford currently impassable	seasonal bridge	seasonal bridge	seasonal bridge	no	no	permanent bridge
<b>Crossing 6, 7</b>	ford	existing fords currently impassable	seasonal bridge	seasonal bridge	no	no	no	no
<b>Total Miles of Road Construction</b>	0.55	0	3.8	4.2	4.2	0	1.4	1.25
<b>Total Miles of Road Reconstruction</b>	7.70	0	6.1	5.5	4.9	Minor repair Rock Cr Route	8.8	6.0
<b>Stockpile Site</b>	on powerline near Hwy 199	no	on powerline Near FS Boundary	same as Alt. 6	same as Alt. 6	same as Alt 6, but enlarged to 10 acres	same as Alt. 6	same as Alt. 6
<b>Miles Haul Route</b>	14.3	0	15.5	15.4	13.3	0	14.3	9.6

Chapter Four describes the impacts of the alternatives on the issues. Chapter Two also includes a summary of these impacts.